

REMARKS

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

Claims 69, 70, 72, and 73 are rejected under 35 U.S.C. 102(b) as being anticipated by Jeroen Cappendijk (Pub. No.: US 2003/0025676 A1), hereinafter Cappendijk.

As to claim 69, Cappendijk teaches:

A control mechanism comprising: a user input area ([0004], [0015]); a controller ([0015]); and a proximity detector ([0007], [0017]-[0019]) wherein the proximity detector detects the presence of a user's hand near the user input area and wherein, upon placement of the user's hand near the control mechanism, the controller is configured to change the information content of the display.

The applicant has amended claim 69. As amended, claim 69 recites a first control knob configured to control “a first aspect of information content” on a display, and upon detection of a user's hand near a user input area, a controller is configured to provide the user with a set of options to “control a second aspect of the information content.”

For example, as described in the application, the control knobs 20-1 and 20-2 are used to control a first aspect of information content on the display 106, e.g., by rotating the control knobs 20-1, or 20-2 to select media content items 32. (see, for example, figures 8, reproduced below, and pages 32-36)

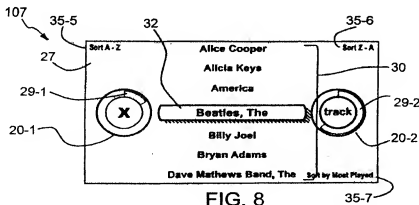


FIG. 8

Upon detection of the user's hand near the user input area, e.g., the system 140, or the optically transparent member 12, the display 106 provides the user with a set of menu command options 35, which are used to control a second aspect of the information content, e.g., options to "Rename Song" 35-1, "Store In Favorites" 35-2, and "Playmode: Normal" 35-4, for media content item selection 28. (see, for example, figure 34, reproduced below, and page 67, lines 3-15)

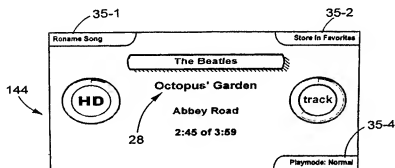


FIG. 34

In contrast, Cappendijk merely describes a "dynamic graphical user interface" that displays a "graphical menu" (106 in figure 2, reproduced below) on "[detecting] a presence [e.g., user's hand 110] in the vicinity of the panel." (abstract) There is nothing in Cappendijk that describes or makes obvious a first control knob configured to control "a first aspect of information content" on a display, and upon detection of a user's hand near a user input area, a controller is configured to provide the user with a set of options to "control a second aspect of [the] information content."

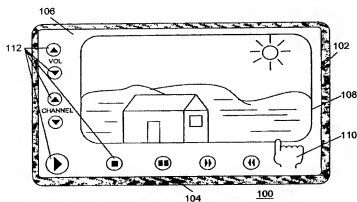


FIG.2

For at least this reason, claim 69 is patentable. All of the dependent claims are patentable for at least similar reasons as those for the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

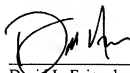
Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Please apply any other required fees to deposit account 06-1050, referencing the attorney docket number shown above.

Respectfully submitted,

Date: _____

1/24/8



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